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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/673,282

09/30/2003

Sang Jin Yun

YHK-0120

4745

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EXAMINER

BECK, ALEXANDER S

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b></p>	<p><b>Application No.</b> 10/673,282</p>	<p><b>Applicant(s)</b> YUN ET AL.</p>	
	<p><b>Examiner</b> Alexander S. Beck</p>	<p><b>Art Unit</b> 2629</p>	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 07 March 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: \_\_\_\_\_.
- Claim(s) objected to: \_\_\_\_\_.
- Claim(s) rejected: 1,2,4,6-10,12-16,18 and 20-24.
- Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_
13. ☐ Other: \_\_\_\_\_.

/Sumati Lefkowitz/  
Supervisory Patent Examiner, Art Unit 2629

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant argues that the rejection of claims 1, 2, 4, 6-10, 12-16, 18 and 20-24 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,023,406 to Nunomura et al. ("Nunomura") in view of U.S. Patent No. 7,180,482 to Homma ("Homma"), is improper (Remarks, pp. 9-12). Examiner respectfully disagrees. When communicating a rejection based on design choice, the Examiner must assert that no advantage, particular purpose, or solution to a problem was disclosed. The Examiner also must explain the reasoning used to determine that the prior art would have performed equally as well as the claimed invention. These two steps help present the convincing line of reasoning to support a conclusion that a claim is directed to obvious subject matter. Ex parte Clapp, 227 USPQ 972, 973 (Bd.Pat.App. & Int. 1985). For the same reasons provided in pages 3-5 of the Office action mailed Jan. 18, 2008 ("previous Office action"), examiner respectfully submits that it would have been an obvious matter of design choice to further modify the teachings of Nunomura and Homma such that the duration of the low width was maintained.

Applicant argues that Homma does not suggest the features relating to "in proportion to the average picture level" (Remarks, p. 12). Examiner respectfully submits that Nunomura as modified by Homma teaches/suggests controlling a high width and low width of a sustaining pulse in proportion to the average picture level (previous Office action, pp. 4-5).

Applicant argues that Homma teaches away from maintaining a sustaining pulse low width. Examiner respectfully disagrees, as Homma is concerned with increasing the duration of a high width relative to a low width (Homma, col. 7, l. 15 - col. 8, l. 25). Because the overall period of the sustaining pulse is increased in Nunomura, the duration of a high width relative to a low width may still be achieved (as desired by Homma) by maintaining a low width duration and increasing a high width duration, thus improving a brightness of the display (as desired by Homma) and reading on the claimed limitation.

Applicant argues that there is no suggestion to make the alleged combination. However, examiner respectfully submits that it would have been an obvious matter of design choice, since one of ordinary skill in the art would have expected applicant's invention to perform equally well with either a maintained low width duration, as claimed, or a shortened low width duration, as taught by Homma, because it would perform equally well in increasing a high width duration in proportion to an average picture level and achieve a stable sustain discharge, increasing the probability capable of causing the sustaining discharge. Furthermore, at the time the invention was made, one of ordinary skill in the art would appreciate that maintaining a low width, as claimed, would ease implementation of the driving method by only having to adjust the high width duration instead of both the high width and low width duration.

(Note: The objection to the drawings (previous Office action, p. 2) is withdrawn in light of the corrected drawings filed Mar. 7, 2008).

asb  
Mar. 12, 2008